



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joseph A. Bauer and Daniel J. Lindner
Application No.: 10/761,870 Group Art Unit: 1647
Filed: January 21, 2004 Examiner: Cherie Michelle Woodward
Confirmation No.: 3138
For: Composition and Method For Affecting Metallocorrinoide Uptake

Date: <u>8/28/06</u> EXPRESS MAIL LABEL NO. <u>EV21495849005</u>

TRANSMITTAL OF SMALL ENTITY STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please file the enclosed Small Entity Statement in the above-identified patent application.
A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

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Dated: August 28, 2006



STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.27(a))-NONPROFIT ORGANIZATION

DOCKET NUMBER: 3786.1010-008

Applicant or Patentee: Joseph A. Bauer and Daniel J. Lindner
Application or Patent No.: 10/761,870
Filed or Issued: January 21, 2004
Title: Composition and Method for Affecting Metalloprotein Uptake

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF NONPROFIT ORGANIZATION The Cleveland Clinic Foundation
ADDRESS OF NONPROFIT ORGANIZATION 9500 Euclid Avenue
Cleveland, Ohio 44195

TYPE OF NONPROFIT ORGANIZATION:

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3))
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) IF
LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED
STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.27(a)(3) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.
☒ the application identified above.
☐ the patent identified above.

I hereby state that the rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern, or organization having rights in the invention must file separate statements as to their status as small entities. No rights to the invention are held by any person who would not qualify as a person under 37 CFR 1.27(a)(1) or by any concern which would not qualify as a small business concern under 37 CFR 1.27(a)(2) or a nonprofit organization under 37 CFR 1.27(a)(3).

Each additional person, concern, or organization having any rights in the invention is listed below:

- ☒ no such person, concern, or organization exists.
☐ each such person, concern, or organization is listed below.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.27(g)(2))

NAME OF PERSON SIGNING David W. Rowan
TITLE IN ORGANIZATION OF PERSON SIGNING Chief Legal Officer and Secretary
ADDRESS OF PERSON SIGNING 9500 Euclid Avenue, Cleveland, Ohio 44195
SIGNATURE [Signature] DATE 5/17/04